

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

UMG RECORDINGS, INC., <i>et al.</i> ,	)	
	)	
<i>Plaintiffs,</i>	)	
	)	
vs.	)	Case No. 1:17-cv-00365-DAE
	)	
GRANDE COMMUNICATIONS	)	JURY TRIAL DEMANDED
NETWORKS LLC,	)	
	)	
<i>Defendant.</i>	)	

**PLAINTIFFS' MOTION FOR ENTRY OF JUDGMENT  
IN ACCORDANCE WITH THE VERDICT OF THE JURY**

Plaintiffs move this Court to approve the form of the Judgment and for its entry, and for good cause show the following:

1. On April 13, 2017, Plaintiffs commenced this action against Defendant for secondary copyright infringement.
2. A jury was demanded by Plaintiffs. A jury was empaneled on October 7, 2022, and a trial on the merits occurred beginning on October 12, 2022.
3. After the trial on the merits, the Court submitted the case to the jury. On November 3, 2022, the jury returned a unanimous verdict, finding the following:
  - a. Plaintiffs proved by a preponderance of the evidence that Defendant was contributorily liable for copyright infringement;
  - b. Defendant was liable for statutory damages with respect to 1,403 of Plaintiffs' copyrighted sound recordings;
  - c. Plaintiffs proved by a preponderance of the evidence that Defendant's contributory infringement was willful; and

d. Plaintiffs were entitled to an award of \$46,766,200 in statutory damages.

*See* Verdict Form (Dkt. No. 458).

4. Pursuant to Federal Rule of Civil Procedure 58, the jury's verdict entitles Plaintiffs to a judgment that Defendant willfully infringed 1,403 of Plaintiffs' copyrighted sound recordings; Defendant is liable to Plaintiffs for statutory damages of \$46,766,200 under the Copyright Act; Plaintiffs are entitled to recover their costs from Defendant, to the extent set forth in a timely-filed and approved bill of costs; and Defendant additionally is liable to Plaintiffs for post-judgment interest pursuant to 28 U.S.C. § 1961, which provides that an award of post-judgment interest is mandatory on any money judgment in a civil case recovered in district court.<sup>1</sup>

5. Plaintiffs' proposed form of judgment is attached as Exhibit A.

Wherefore, Plaintiffs respectfully request that the Court enter Judgment substantially in the form of Exhibit A. Plaintiffs' proposed Order granting this motion is attached as Exhibit B.

Dated: November 18, 2022

Respectfully Submitted:

By: /s/ Andrew H. Bart  
Andrew H. Bart (admitted *pro hac vice*)  
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<sup>1</sup> Plaintiffs reserve the right to seek attorneys' fees and prejudgment interest in accordance with, and to the fullest extent provided under, applicable law. Accordingly, the judgment should be without prejudice to Plaintiffs' filing of a timely motion seeking fees and prejudgment interest.

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*Attorneys for Plaintiffs*

### **CERTIFICATE OF SERVICE**

The undersigned certifies that on November 18, 2022 all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system pursuant to Local Rule CV-5(b)(1).

/s/ Paige A. Amstutz  
Paige A. Amstutz